

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

WILFRED DREXAL DAVIS

PLAINTIFF

V.

No. 3:19CV00365-DPM-JTR

SAYER, Sergeant, Mississippi
County Detention, *et al.*

DEFENDANTS

ORDER

Defendants have filed a Motion to Dismiss and a Brief in Support alleging that this *pro se* § 1983 action should be dismissed under Local Rule 5.5(c)(2) because mail sent to Plaintiff Wilfred Drexal Davis (“Davis”), at his address of record, has been returned undelivered. *Docs. 24 & 25*. Davis must respond to that Motion.

In addition, if Davis has been released from incarceration, he is required to pay the \$400 filing fee for this action, or file an updated application to proceed *in forma pauperis*.

IT IS THEREFORE ORDERED THAT:

1. Davis must file, **within thirty days of the date of this Order**, a Response to Defendants’ Motion to Dismiss (*Doc. 24*).
2. The Clerk is directed to mail Davis a free-world Application to Proceed *In Forma Pauperis*.

3. If Davis wishes to proceed with this action, he must, **within thirty days of the date of this Order**, either: (a) pay the \$400 filing fee for this action; *or* (b) complete and file a free-world Application to Proceed *In Forma Pauperis*.

4. Davis is advised that, if he fails to fully and timely respond to this Order, this case may be dismissed, without prejudice, pursuant to Local Rule 5.5(c)(2).

IT IS SO ORDERED this 4th day of June, 2020.

A handwritten signature in black ink, appearing to read "J. Thomas Ray", is positioned above a horizontal line.

UNITED STATES MAGISTRATE JUDGE